

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

EDWARD LEE BOLIN,

Plaintiff,

v.

SCHNEIDER NATIONAL CARRIERS, INC.;
DARRYL REED; AND OLD REPUBLIC
INSURANCE CO.,

Defendants.

CIVIL ACTION FILE
NUMBER

**DEFENDANTS SCHNEIDER NATIONAL CARRIERS, INC.'S AND
OLD REPUBLIC INSURANCE CO.'S NOTICE OF REMOVAL**

1.

Plaintiff filed his Complaint for Damages against Defendants Schneider National Carriers, Inc. (SNC), Darryl Reed, (Reed), and Old Republic Insurance Co. (Old Republic) in the State Court of Fulton County, Georgia, civil action file number 23EV001843, on March 27, 2023. Defendants SNC and Old Republic attach copies of the applicable Summons and Complaint as Exhibit A and their Answer as Exhibit B.

2.

Plaintiff was a citizen and a resident of Georgia when he filed the Summons and Complaint. See Ex. A, ¶ 1; Ex. B, ¶ 1.

3.

Defendant Reed was alleged to be a citizen and resident of the State of Texas when Plaintiff filed the Summons and Complaint. See Ex. A, ¶ 3.

4.

However, based on known public information, Defendant Reed died on December 16, 2021, before Plaintiff filed his Complaint on March 27, 2023. Defendants SNC and Old Republic attach Defendant Reed's obituary as Exhibit C.

5.

Defendant SNC was a Nevada corporation with its principal place of business in Wisconsin when Plaintiff filed the Summons and Complaint. See Secretary of State record for Defendant SNC attached as Exhibit D; see also Ex. B, ¶ 5.

6.

Defendant Old Republic was a Pennsylvania corporation with its principal place of business in Pennsylvania when Plaintiff filed the Summons and Complaint. See Secretary of State record for Defendant Old Republic attached as Exhibit E; see also Ex. B, ¶ 6.

7.

There is complete diversity of citizenship in this case among all parties properly joined and served as Defendants.

8.

All Defendants whom Plaintiff properly served with the Summons and Complaint consent to the removal of this civil action.

9.

This civil action is properly removable to this Court pursuant to 28 U.S.C. §§ 1441(a), 1446(a) and 1446(b). In accordance with 28 U.S.C. § 1332(a), there exists a complete diversity of citizenship between Plaintiff and Defendants SNC and Old Republic and the amount in controversy, exclusive of interest and cost, exceeds \$75,000.

10.

In support of Defendants SNC's and Old Republic's contention that the amount in controversy exceeds \$75,000, these Defendants show Plaintiff's counsel communicated Plaintiff incurred \$100,000 in medical bills and continued to treat for his injuries sustained in this accident. See email exchange between Plaintiff's counsel and Defendants SNC's and Old Republic's counsel attached as Exhibit F.

11.

Plaintiff's further claims he sustained substantial damages, both economic and non-economic, including medical bills, costs and expenses, lost wages, physical pain and suffering, mental pain and suffering, loss of earning capacity, loss of enjoyment of life, punitive damages, litigation expenses and attorney's fees. See Ex. A, ¶¶ 18, 41.

12.

Defendants SNC and Old Republic notify the Court, the Clerk, and all parties within thirty days after service and receipt of the Complaint, that they removed this civil action to this Court according to 28 U.S.C. § 1446 and Fed. R. Civ. P. 11.

DENNIS, CORRY, SMITH & DIXON, LLP

/s/ *John D. Dixon*

JOHN D. DIXON

Georgia bar number 223376

/s/ *William B. Pate*

WILLIAM B. PATE

Georgia bar number 793099

For the Firm

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CERTIFICATE OF SERVICE

I electronically filed this **DEFENDANTS SCHNEIDER NATIONAL CARRIERS, INC.'S AND OLD REPUBLIC INSURANCE CO.'S NOTICE OF REMOVAL NOTICE OF REMOVAL** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

R. Sean McEvoy, Esq.
Trevor E. Brice, Esq.
Witherite Law Group, LLC
Bank of America Plaza
600 Peachtree Street NE, Suite 4010
Atlanta, GA 30308

I also mailed by United States Postal Service the document to the following non-CM/ECF participants: None.

This 25th day of April, 2023.

/S/ William B. Pate
WILLIAM B. PATE
For the Firm

612-14388(JDD)